

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1 and 2 remain pending in this application.

Final Office Action

The Office Action mailed January 5, 2007 was made final by the Examiner. On page 4 of the Office Action the Examiner asserts that "Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action." Applicant respectfully disagrees. Instead, the new ground of rejection was necessitated by the Panel Decision from the Pre-Appeal Brief Review. The Examiner acknowledges this fact on page 2 of the Office Action. Applicant has not amended the claims since March 16, 2006. Further, the rejection is not based on information submitted in an information disclosure statement. *See* M.P.E.P. § 706.07(a). Accordingly, Applicant submits that the Office Action filed January 5, 2007 should be a non-final office action.

Claim Rejections under 35 U.S.C. § 103

Claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,086,559 ("Akatsuchi") and U.S. Patent No. 5,191,702 ("Goedecke"). In response, applicant traverses the rejection for the reasons set forth below.

Applicant relies on M.P.E.P. § 2143, which states that to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation in the prior art to modify the reference. Second, there must be a reasonable expectation of success. Third, the prior art must teach or suggest all the claim limitations. Applicant respectfully asserts that Akatsuchi and Goedecke alone or in combination do not disclose, teach or suggest each and every limitation of claims 1 and 2.

Claim 1 recites a machine for placing components on a printed circuit board. The claimed machine includes (a) a transport device for transporting printed circuit boards in an X-direction and (b) a Y-slide which is independently drivable in the X-direction. At least two placement heads are positioned on the Y-slide. Each placement head on the Y-slide is configured to move in the X-direction and is independently drivable in the Y-direction. Claim 1 also recites that at least two placement heads are interconnected so that a movement of a first placement head over a certain distance in the X-direction is configured to cause simultaneous and dependent movement of a second placement head over the same distance in the X-direction. The above-described structure makes it possible to configure embodiments that place components on a circuit board at a high rate by picking up a component from a feeder with one placement head while another placement head simultaneously prepares a component for placement on a circuit board. See Applicant's Specification at p. 2.

Akatsuchi is directed toward a component placing apparatus. Akatsuchi discloses two separate and distinct X/Y moving tables 8. See FIG. 1. Each of the tables 8 is independently drivable. Moreover, the singular pick-and-place unit 10 associated with each of the tables 8 is independently drivable in the X and Y directions by the associated X-axis table 8a and Y-axis table 8b. In addition, Akatsuchi discloses a conveyor 5 to convey a printed circuit board in and out of a positioning unit located below the X/Y tables. In rejecting claim 1, the Examiner admits: "Akatsuchi does not teach that each Y-slide has more than one, i.e. two, placement heads." See the Final Office Action dated January 5, 2007 at p. 3.

To cure the admitted deficiency of Akatsuchi, the Examiner cites Goedecke. However, the Examiner's reliance on Goedecke is misplaced. Goedecke discloses assembly grippers attached to individual axis elements which are independently drivable in both the X and Y direction. See Col. 8, lines 5-11. M.P.E.P. § 2131 states that "[t]he identical invention must be shown in as complete detail as is contained in the claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). Here, both references disclose placement heads that are independently drivable in the X and Y direction. Specifically, neither reference discloses a machine for placing components on a printed circuit board wherein "wherein the at least two placement heads are interconnected such that a movement of a first of the at least two placement heads over a certain distance in the X-direction is configured to cause a

simultaneous, dependent movement of a second of the at least two placement heads over the same distance in the X-direction" as claimed in claim 1. Thus, none of the cited references disclose, teach or suggest the claimed invention.

Accordingly, Applicant respectfully request that the rejection be withdrawn and that claim 1 be allowed. Further, claim 2 depends from claim 1 and should be allowable for the reasons set forth above without regard to further patentable limitations cited therein. Therefore, Applicant requests that claim 2 also be allowed.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are

Serial No. 09/594,405

Atty. Dkt. No. 082671-0191

needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 21, 2007

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